

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejection of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 20-32 are pending. Claim 32 is hereby added. Claims 20, 24, 28 and 32 are independent. Claim 20, 24 and 28-31 are hereby amended. No new matter has been introduced. Support for this amendment can be found throughout the Specification as originally filed.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 20-31 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,751,672 to Yankowski (hereinafter, merely “Yankowski”) in view of U.S. Patent No. 6,505,160 to Levy, et al. (hereinafter, merely “Levy”) and further in view of U.S. Patent No. 6,785,671 to Bailey, et al. (hereinafter, merely “Bailey”).

Claim 20 is representative and recites, *inter alia*:

“means for inquiring of a user whether to execute accessing the website;

...

means for accessing, through the Internet, the website at the address obtained from the server based on a result of the inquiry;”

As understood by Applicants, Yankowski relates to updating a memory in a Compact Disc changer. Yankowski does not disclose retrieving an address of a website relating to the media. Levy describes the website address as being different than the server address. However, Levy does not disclose inquiring of users whether to execute access to the website.

In contrast, claim 20 recites, “. . . inquiring of a user whether to execute accessing the website . . . accessing, through the Internet, the website at the address obtained from the server based on a result of the inquiry.” That is, information identifying discs stored in a CD changer is stored in a memory. The website address relating to the music CD can be obtained by the retrieval from the database. In an aspect of the present invention, a display, for example, can be made on a monitor of a computer inquiring of users about the execution of the access to the website. Publ App. par. [0034] and FIG. 6.

Claim 20 is believed patentable over Yankowski and Levy because those references taken alone or in combination do not teach or suggest each and every element recited in the claim.

Claims 24 and 28 are also believed patentable for substantially the same reasons as claim 20.

III. NEW CLAIM

New claim 32 recites *inter alia*:

“accessing, through the Internet, the server based on the address stored in said database when the media is found in the database from a search by the key data.” (Emphasis added)

As understood by Applicants, Yankowski relates, in relevant part, to updating a memory in a Compact Disc changer. Information identifying discs stored in a CD changer is stored in a

memory. The memory is updated when a CD is loaded which does not have identifying features which are recognized by the CD changer.

Specifically, Yankowski discloses reading the portion of the disc which contains the identifying information or “fingerprint” of the disc. The “fingerprint” is compared to the stored “fingerprints.” If the “fingerprint” is found, the CD changer operates in a conventional manner and awaits the next disc selection. If the “fingerprint” is not found in the CD changer’s database, the user is asked if the disc is to be played or the data is to be updated from a remote database. Yankowski, col. 8, lines 18-32 and FIGS. 4A-4B.

Thus, in relevant part, Yankowski updates the local database when the “fingerprint” of the disc is not found in the local database. Conversely, the database is not updated if the “fingerprint” data is found.

In contrast, claim 32 recites, “reading the key data . . . accessing . . . the server based on the address stored in said database when the media is found in the database . . . updating said content of the database.” Publ. App. par. [0039]. Thus, in an aspect of the present invention, the database is updated when the media is found in the database, whereas in Yankowski the database is updated when the “fingerprint” is not found. In an aspect of the present invention, a website address already exists in the database and that address is used to find updates for the database.

Levy does not add the element missing from Yankowski.

Applicants submit that Yankowski and Levy, taken either alone or in combination, do not teach or suggest the above identified features of claim 32.

Therefore, Applicants submit that independent claim 32 is patentable.

IV. DEPENDENT CLAIMS

The other claims in this application are each dependent on an independent claim discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

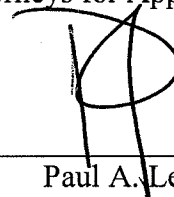
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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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A handwritten signature in black ink, appearing to be 'P. Levy', written over a horizontal line.

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